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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MOOG INC.,

Plaintiff,

v

SKYRYSE, INC., ROBERT ALIN
PILKINGTON, MISOOK KIM, and
DOES NOS. 1-50,

Defendants.

SKYRYSE, INC.,

Counterclaimant,

v

MOOG INC.,

Counterclaim-Defendant.

CASE NO. 2:22-cv-09094-GW-MAR

**DEFENDANT AND
COUNTERCLAIMANT SKYRYSE,
INC.'S NOTICE OF MOTION AND
MOTION FOR REVIEW OF
MAGISTRATE JUDGE'S NON-
DISPOSITIVE ORDER (DKT. 534)**

Discovery Cut-Off: April 12, 2024
Trial: August 27, 2024

Hearing: August 24, 2023

Time: 8:30 a.m.

Judge: Hon. George H. Wu

Location: Ctrm. 9-D

1 **TO THE ABOVE-CAPTIONED COURT, AND TO ALL PARTIES**
 2 **AND THEIR COUNSEL OF RECORD:**

3 **PLEASE TAKE NOTICE** that at 8:30 a.m. on August 24, 2023, or as soon
 4 thereafter as the matter may be heard before the Honorable George H. Wu in Court-
 5 room 9-D of the United States District Court, Central District of California, located
 6 at 350 West First Street, Los Angeles, California, 90012, Defendant and Counter-
 7 claimant Skyryse, Inc. will and hereby does move for review and reconsideration of
 8 Magistrate Judge Rocconi’s order (Dkt. 534, the “Order”) denying in part Skyryse’s
 9 motion to enforce the transferor court’s order compelling Plaintiff Moog Inc. to
 10 provide a specific, particularized trade secret identification (Dkt. 205).

11 Skyryse objects to the Order under Rule 72(a) of the Federal Rules of Civil
 12 Procedure on the ground that it is contrary to law and clearly erroneous. Magistrate
 13 Judge Rocconi incorrectly concluded that, where Moog alleges misappropriation of
 14 source code trade secrets, the transferor court’s order did not require Moog to iden-
 15 tify the specific lines of code or programs it claims to be its trade secrets. This is
 16 contrary to the Order’s express instruction that when “the plaintiff alleges misappro-
 17 priation of source code, it should identify the specific lines of code or programs
 18 claimed to be secret.” (Dkt. 205 at 4.) As a result, the Order erroneously ruled that
 19 Moog’s CUI Trade Secret no. 1 and non-CUI Trade Secrets nos. 1-8, which do not
 20 identify source code by line, were identified with sufficient particularity. This Mo-
 21 tion is based on this Notice of Motion, the accompanying Memorandum of Points
 22 and Authorities, the records and papers on file in this action, any material of which
 23 this Court takes judicial notice, and such other written or oral argument as may be
 24 presented at or before the time this Motion is taken under submission by the Court.

25 This Motion is made pursuant to Local Rule 72-2.1, which directs motions for
 26 review of a magistrate judge’s order to be filed within 14 days of service of the
 27 written ruling. This Motion is made following the conference of counsel pursuant to
 28 Local Rule 7-3, which took place on June 21, 2023.

1 Dated: June 28, 2023

Respectfully submitted,

2 LATHAM & WATKINS LLP

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